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Attorneys for Defendant
NOVA WINES, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

PETE LIVINGSTON,

Plaintiff,

v.

KEYA MORGAN aka KEYARASH
MAZHARI aka KEYA MAZHARI, KEYA
GALLERY, NOVA WINES, INC.,
JANINA GEHN aka NINA GEHN, &
NTG/XLink,

Defendants.

CASE NO. C06-02389 MMC

**STIPULATION AND REQUEST TO
EXTEND THE CASE MANAGEMENT
CONFERENCE HEARING DATE AND
SUBMISSION OF THE JOINT CASE
MANAGEMENT CONFERENCE
STATEMENT ; ORDER**

Judge: Maxine M. Chesney

Plaintiff Pete Livingston and Defendant Nova Wines, Inc., through their respective counsel, hereby stipulate and request the Court for an order continuing the Case Management Conference hearing to September 22, 2006 or the Court's next available date from and after September 22, 2006, and that such parties may have an extension, to seven days prior to the rescheduled Case Management Conference hearing date, to file their Joint Case Management Conference Statement.

Good cause for such an extension exists as on July 31, 2006, this Court ruled on defendant Nova Wines, Inc.'s motion to dismiss plaintiff's Complaint and the Court's Order dismissed all three of plaintiff's claims, two with prejudice. As Plaintiff has been given time to amend his

claim for copyright infringement, the scope of discovery and other items addressed in the Joint Case Management Conference Statement cannot be ascertained at this time. Further, all parties have not made appearances in the case and, as such, the case is not at issue.

It is so stipulated.

Dated: July 31, 2006

ROPERS, MAJESKI, KOHN & BENTLEY

By: /s/ Michael J. Ioannou
MICHAEL J. IOANNOU
Attorneys for Defendant
NOVA WINES, INC.


Dated: July 31, 2006

By: /s/ William M. Simpich
WILLIAM M. SIMPICH
TESFAYE W. TSADIK
Attorney for Plaintiff
PETE LIVINGSTON

ORDER

IT IS SO ORDERED. Absent further order of this Court, the Case Management Conference Statement is now due on September 29, 2006, and the Case Management Conference is rescheduled from August 4, 2006, to October 6, 2006.

Dated: August 1, 2006


MAXINE M. CHESNEY
JUDGE, UNITED STATES DISTRICT COURT